

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:16-cv-00230-FDW-DSC**

CONTROLS SOUTHEAST, INC.,)
)
Plaintiff,)
)
vs.)
)
QMAX INDUSTRIES, INC., et al.,)
)
Defendants.)
)

ORDER

THIS MATTER is before the Court on Defendant QMax's Amendment to Joint Claim Construction and Prehearing Statement (Doc. No. 59), and Plaintiff's Response Objecting to the Amendment. (Doc. No. 60). In its filing, Defendant QMax states that it has "dropped most of its allegations of infringement," and now alleges Plaintiff has "infringed only claim 3 of the '156 patent, which depends from and includes the limitations of claim 1 of the '156 patent." (Doc. No. 59). In response, Plaintiff informed the Court it does not oppose the withdrawal of said claims. (Doc. No. 60).

Now that the claim construction issues have been simplified, and in the interest of judicial economy, the Court amends its prior ruling in part (Doc. No. 55), and shortens the June 6, 2017, scheduled claim construction hearing to two (2) hours. Each side shall have thirty (30) minutes per disputed claim term to submit its evidence for a total of one (1) hour each.

IT IS SO ORDERED.

Signed: June 5, 2017



Frank D. Whitney
Chief United States District Judge
